

## REMARKS

In response to the above-noted Office Action, Applicant has amended Claim 1 to incorporate limitations similar to Claim 6. Claim 2 has been cancelled. Claim 5 has been cancelled and its limitations incorporated into amended Claim 6 which claim, the Examiner indicated is in condition for allowance. Claims 7-9 have been amended to change their dependency to Claim 6 only.

Claims 1-4 and 7-8 are rejected under 35 USC 102(b) as being anticipated by King. Claims 1 and 2 are rejected under 35 USC 102(e) as being anticipated by Puleo. Claim 5 is rejected under 35 USC 103(a) as being unpatentable over Puleo. Claims 5-9 are rejected under 35 USC 103(a) as being unpatentable over King.

In response, Claim 6 has been amended so that it is rewritten in independent form including all of the limitations of the base claim and any intervening claims which claim the Examiner indicated is allowable over the prior art. Since Claim 7-9 has been amended to only depend from Claim 6, Applicant submits that Claims 6-9 are in condition for allowance. As to Claim 1, Claim 1, which is an apparatus claim, has been amended so that the steps set forth in Claim 6 have been added as elements to Claim 1. Although the steps of Claim 5 have not been expressly incorporated as elements into Claim 1, Applicant submits that the corresponding elements to the steps of Claim 5 are the mean output measuring means and the control means. In this connection, since Claim 1, as amended, includes the limitations of Claim 6 deemed to be allowable over the prior art, Applicant submits that Claim 1 is also in condition for allowance, as are Claims 3 and 4 which depend from Claim 1.

In view of the foregoing, Applicant respectfully submits that claims 1, 3, 4, 6 – 9, as amended, are in condition for allowance and such action is earnestly solicited at the earliest possible date.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly, extension of time fees.

If there are any fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666. If a telephone interview would expedite the prosecution of this Application, the Examiner is invited to contact the undersigned at (310) 207-3800.


Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN

Dated:

3/16/07

By:

  
Eric S. Hyman, 30,139

**CERTIFICATE OF MAILING:**

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class Mail , With Sufficient Postage, In An Envelope Addressed To: Mail Stop Amendments, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450

  
Linda Marie Metz

Date

3/16/07